

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RICHARD HIGHTOWER,

Plaintiff,

v.

CITY OF PHILADELPHIA, et al.,

Defendants.

CIVIL ACTION

NO. 21-4075-KSM

ORDER

AND NOW, this 14th day of April, 2022, upon consideration of the Defendant City of Philadelphia's Motion to Dismiss (Doc. No. 23) and Plaintiff's response (Doc. No. 24), and for the reasons set forth in the accompanying Memorandum, it is **ORDERED** that the motion is **DENIED**.

IT IS SO ORDERED.

/s/KAREN SPENCER MARSTON

KAREN SPENCER MARSTON, J.